

DISTRICT COURT OF THE UNITED STATES

NORTHERN DISTRICT OF NEW YORK

DEBRA SPERO, as Natural Mother of
V.S., an infant,

Plaintiff,

-against-

VESTAL CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION,
VESTAL CENTRAL SCHOOL DISTRICT, JEFFREY AHEARN,
Superintendent of Schools, ALBERT A. PENNA, Interim
Principal Vestal High School, DEBORAH CADDICK and
CLIFFORD KASSON, in their Individual and Official
capacities,

Defendants.

A deposition held on Friday, the 25th day of
January, 2019, commencing at 10:02 a.m.

BEFORE: Ruth I. Lynch
Registered Professional Reporter
Registered Merit Reporter
NY/PA Notary Public
28874 State Route 171
Susquehanna, PA 18847
(570) 396-1459

WITNESS: KATHARINE DYER

1 MS. YOUNG: Well, could you repeat it?

2 (The stenographer read back.)

3 A We live in Vestal and my children were
4 starting school, and I wanted to become part of that
5 community and that school district and to be more
6 available to be on the same schedule as my own kids.

7 BY MS. YOUNG:

8 Q Were you ever disciplined when you were
9 at Johnson City School District?

10 A No.

11 Q So you know who Vinny Spero is,
12 correct?

13 A Correct.

14 Q And you first met him in September of
15 2016?

16 A Correct.

17 Q Okay. And he was in your fourth period
18 Foundations of Math class.

19 A Foundations of College Math, yes.

20 Q Can you describe the class in terms of
21 size?

22 A It -- it varied, you know, as people
23 moved around in the beginning of the school year, but
24 around 25.

25 Q Can you tell us approximately how that

1 MS. YOUNG: Correct.

2 MR. SPAGNOLI: Thank you.

3 BY MS. YOUNG:

4 Q I'm going to hand you what's been
5 marked as Exhibit A and ask you if you recognize that
6 document?

7 A Yes.

8 Q And can you describe to us what it is?

9 MR. SPAGNOLI: The entire document or
10 just the first page?

11 BY MS. YOUNG:

12 Q Well, start with the first page.

13 MR. SPAGNOLI: Thank you.

14 A The first page is a copy of the seating
15 chart from approximately the third week of September.

16 BY MS. YOUNG:

17 Q Okay. Until when? When did you change
18 it to the next seating chart?

19 A I am -- I don't remember for sure. A
20 few weeks later.

21 Q Is this the seating chart that was
22 being used when Vinny made a comment that you felt was
23 inappropriate?

24 A What comment?

25 Q Well, let me ask you this: Did Vinny,

1 while that seating chart was in effect, say something
2 in class about the grouping of students, and if so
3 what?

4 A After they came and sat down, he was
5 sitting here next -- in the second row, first seat.

6 Q Him being Vinny.

7 A Vinny, yes.

8 Q Okay.

9 A And he said to Isaac Dillard, who was
10 in the front middle of the room, you belong with us.

11 MR. SPAGNOLI: Let the record reflect
12 that when the witness indicated here in
13 connection with where Vincent was sitting, she
14 pointed to the desk that has the name Vincent
15 crossed out over it.

16 BY MS. YOUNG:

17 Q Okay. How many days into that seating
18 plan did Vinny make that comment?

19 A The very first day.

20 Q Did you ask Vinny what he meant by
21 that?

22 A No.

23 Q Did you make any comment?

24 A At the end of class I talked to him
25 about it.

1 Q And what happened during that
2 conversation?

3 A I said I hope you know I would never be
4 thinking about that when I was making a seating chart.

5 Q And what did you mean about that?

6 A About race.

7 Q Okay. How did you know that's what
8 Vinny meant?

9 A Because he alluded to that in his
10 comment.

11 And the other students laughed at it,
12 and.

13 Q Looking at the chart, was, is it Isaac?

14 A Isaac.

15 Q Was Isaac the only student of color
16 sitting in the front row? If you recall.

17 A Again, depending on how people identify
18 themselves, you know, many students in Vestal are --
19 have a variety of backgrounds.

20 Q Uh-huh. But as far as if you could --
21 you can tell. Would you have said that Isaac was the
22 only student of color in the front row?

23 A Yes.

24 Q How about the -- not counting the desks
25 that appear kind of on an angle, behind that, the six

1 desks in the middle of the second row, were there any
2 students of color in that row?

3 MR. SPAGNOLI: You mean in the six
4 desks in the middle of the front row?

5 MS. YOUNG: Middle, yes.

6 A Again, I -- I've seen their sheets
7 since and how they would register, and I can tell you
8 that none of them registered as African-American.

9 BY MS. YOUNG:

10 Q Okay. How about the -- right behind
11 that, the middle six seats? Were any of those
12 students students of color?

13 A None of them have registered as
14 African-American either.

15 Q Okay. How about the student next to
16 Vinny?

17 A Shafiqah?

18 Q Yes.

19 A She is registered as an
20 African-American.

21 Q Okay. And how about the two seats in
22 back of that student and Vinny?

23 A They are not registered as
24 African-American.

25 Q Okay. And did you perceive them as

1 students of color at the time?

2 A I never thought about it at the time.

3 Q Okay. Even after Vinny made that
4 comment to you, you didn't think about that?

5 A No.

6 Q Okay. How about the students on the
7 angled, the six angled desks, on the other side of the
8 room from where Vinny was?

9 A They are not registered as
10 African-American.

11 Q And, but did you perceive them as
12 students of color?

13 A I never made a judgment or remember
14 thinking of that.

15 Q Okay. But when Vinny made the comment
16 he did to Isaac, you automatically thought -- or
17 take -- strike that.

18 When Vinny made the comment to you --
19 to Isaac, you took that to mean he was commenting that
20 students of color were in the back.

21 A Someone else then said back of the bus.

22 Q So was it that comment that made you
23 think that Vinny was alleging that the black students
24 were grouped together or was it Vinny's comment?

25 A The two comments together.

1 Q Did you speak to the other student who
2 said back of the bus?

3 A I am not sure who made that comment.
4 It was in response to his comment where they laughed a
5 little, and then. You know. Someone said something
6 more.

7 Q And what did Vinny say -- strike that.
8 When Vinny made the comment, did you
9 say to him that's inappropriate?

10 A I do not recall. I did after class.

11 Q Okay. And when you told Vinny that you
12 thought it was inappropriate and that you would never
13 do that, what was his response to you?

14 A I know, but you're new here.

15 Q Anything else?

16 A I said I am not new at teaching.
17 And he said but you're new here.

18 Q Did you ask him what he meant by that?

19 A No.

20 Q Did you change the seating chart after
21 talking to Vinny?

22 A The student that was sitting here
23 switched to a different class, so there was an open
24 seat there.

25 Q And by -- could you just tell us the

1 name of the student so we?

2 A Well, he's not on there. I erased his
3 name.

4 Q Oh.

5 A His name was Kyle. And he was in the
6 front row next to Isaac.

7 Q Okay.

8 MR. SPAGNOLI: Let the record reflect
9 that when the witness said here, she was
10 pointing to the square that currently bears the
11 name Jordan.

12 BY MS. YOUNG:

13 Q Oh, okay. I didn't think that was the
14 one you pointed to.

15 A Jordan.

16 Q That's because I'm looking at the wrong
17 one.

18 MS. YOUNG: Thank you.

19 MS. PAYNE: That's because you're on B.

20 A I think those are in a different order.

21 BY MS. YOUNG:

22 Q Okay, so when did Jordan -- when did
23 the other student next to Isaac leave the class?

24 A Within a few days.

25 Q Okay. And what happened then with that

1 seat?

2 A I had Jordan move there.

3 Q And so you -- you were the one that
4 chose that Jordan would move there.

5 A Yes.

6 Q Okay. And why did you move Jordan to
7 the front?

8 A So he would have a partner.

9 Q Okay. And was Jordan a person of
10 color?

11 A He's not registered, no.

12 Q Does he have dark skin?

13 A Not -- he appears biracial.

14 Q Okay. So however it came about, would
15 you say that before Jordan was moved that students of
16 color were grouped together?

17 A No.

18 Q And how do you define students of
19 color?

20 A Students who consider themselves
21 African-American.

22 Q Okay. Then let me rephrase my
23 question. Would you say, however it came about, that
24 in the first seating chart, what's marked as
25 Exhibit 1, and it has the 7A designation, were people

1 with darker skin than most caucasians grouped
2 together?

3 MR. SPAGNOLI: Objection to form.

4 A No.

5 BY MS. YOUNG:

6 Q Okay. Can you -- because I think we
7 had some miscommunication between what I was thinking
8 of when I said person of color and what -- apparently
9 what you were thinking, and that's my bad, I should
10 have defined it. But for the four seats around Vinny
11 that are an angle, that are angled, and I guess that
12 would be Shafiq, Vinny, Brynn, were those three
13 students students with skin that was darker than
14 caucasian?

15 MR. SPAGNOLI: Objection to form.

16 A No. Brynn does not have darker skin.

17 Also there is other students, Isaac
18 Dillard, who was up front, and other students who may
19 have slightly noncaucasian skin that were in other
20 spots too.

21 BY MS. YOUNG:

22 Q Okay. Can you tell us who those were?

23 A Chureen, Anthony.

24 Q Anyone else?

25 A Not that I recall.

1 Go ahead.

2 A Vincent made a comment about it. That
3 is the only thing.

4 BY MS. YOUNG:

5 Q And another student said back of the
6 bus, correct?

7 A That doesn't mean he was of color, I do
8 not know who said that.

9 Q Would it make a difference if the
10 student was white?

11 A Well, you just said two students of
12 color perceived it, and that is not a true statement.

13 Q Okay. Let me rephrase it, then. It's
14 two students in that class indicated to you that they
15 perceived that the students of color were grouped
16 together in the back, correct?

17 A One student made a comment, another
18 student went along with the joke.

19 Q And who told you it was a joke?

20 A They were laughing.

21 Q So that the change to the -- this
22 seating chart that you made was occasioned by -- the
23 immediate change was occasioned by the student sitting
24 next to Isaac leaving the class.

25 A Yes.

1 This room is -- is --

2 MR. SPAGNOLI: There's no question
3 before you.

4 THE WITNESS: Okay.

5 BY MS. YOUNG:

6 Q Looking at 7B, which is the second page
7 of Exhibit A, when did this seating chart get
8 implemented, about?

9 A A few weeks later.

10 Q And how did you determine this seating
11 chart?

12 A Again students' needs, who would work
13 well together, what would be best from a teaching
14 standpoint in terms of personalities, in terms of
15 students who needed more assistance, students who were
16 doing well.

17 Q And the page marked 7B, Jordan is no
18 longer sitting next to Isaac. Do you recall why that
19 was?

20 The 7B?

21 A Yes.

22 Almost everyone has a new partner.

23 BY MS. YOUNG:

24 Q Okay. Were the seating charts random?

25 A Yes.

1 Aside from student needs.

2 Q Okay, I'm now going to have this marked
3 for identification.

4 (Exhibit B was marked.)

5 BY MS. YOUNG:

6 Q Can you identify -- first of all, are
7 you familiar with this document?

8 A I'd like to read it over.

9 Q Sure.

10 A (Reviews document).

11 MR. SPAGNOLI: Let her know when you're
12 ready.

13 A Oh, I'm ready.

14 BY MS. YOUNG:

15 Q Oh, sorry.

16 Do you recognize this document?

17 A Yes.

18 Q Okay. And were you the author of this
19 document?

20 A Yes.

21 Q Okay. And at the very bottom it says
22 attached are four of the seating charts that we have
23 utilized thus far this -- for this year.

24 Were the four pages that are marked as
25 Exhibit A the -- what was attached to this memo?

1 A I don't recall.

2 Q Did you take notes from your meeting
3 with Miss Caddick?

4 A No.

5 Q And how are you so sure of that?

6 A I'm not in the habit of taking notes
7 during meetings with administrators.

8 Q Okay. Have you ever?

9 A No.

10 Q Okay. So on November 22nd, 2016, an
11 incident happened with a student named Isaac, correct?

12 A Yes.

13 Q Can you tell us what happened?

14 A I saw a puff of smoke come out of his
15 mouth.

16 Q And what did you -- what, if anything,
17 did you do in reaction to that?

18 A I called him into the hall to talk to
19 him.

20 Q Uh-huh. And what happened -- what was
21 said during your conversation?

22 A I told him that that was not allowed in
23 school, and I wasn't aware of the consequences for
24 that, and I asked him to go to the assistant
25 principals' office.

1 A Or you can write it on a piece of
2 paper.

3 Q Okay, just a regular piece of paper and
4 you would --

5 A Yep, any paper.

6 Q Okay.

7 MR. SPAGNOLI: Make sure she finishes
8 her question --

9 THE WITNESS: Okay.

10 MR. SPAGNOLI: -- before you start your
11 answer. You're doing good.

12 BY MS. YOUNG:

13 Q In order to -- is it true that in order
14 to write a pass for him while you were in the hallway
15 he would have either had to have his agenda book with
16 him or you would have had to bring a piece of paper
17 and a pen out?

18 A I -- he had his stuff when he left.

19 Q Okay, but you don't remember whether
20 you signed his agenda book.

21 A I do not recall.

22 Q Okay. So I'm pre -- did you return to
23 class as -- when Isaac walked away?

24 A Yes.

25 Q Okay. And then what happened?

1 A I was helping different groups around
2 the room, and I heard a loud noise coming from the
3 group in the center of the room. And I went over, and
4 Vincent's phone was on. And making noise.

5 Q Do you recall what noise it was making?

6 A No. Video or music.

7 Q Would students ever listen to music in
8 the class before this?

9 A At times.

10 Q Okay. What kind of times?

11 A Occasionally if they were working
12 independently with head phones.

13 Q Okay. Prior to this point had any
14 student listened to music during your class not in
15 head phones?

16 A Not that I recall.

17 Q Going back to Exhibit A, can you tell
18 us if one of those charts depicts where students were
19 sitting on November 22nd?

20 A The chart labeled 7B.

21 Q Okay, so Vincent is in the second row,
22 second from the left, correct?

23 A This was the seating chart at that time
24 but they were -- they moved around to be with their
25 group.

1 middle row?

2 A (Nods head). Yes.

3 Q When you heard the music or the video,
4 did you say anything to Vinny?

5 A I walked over to his group, and I asked
6 him to turn it off.

7 Q And he said what?

8 A No.

9 Q Did that surprise you?

10 A I don't recall.

11 Q Did you then repeat your request?

12 A Yes.

13 Q Okay. And did he answer no once again?

14 A Correct.

15 Q And then what did you say?

16 A I said if you're not going to turn it
17 off, I'm going to have to ask you to leave.

18 Q And did he reply?

19 A He repeated that back in a mocking
20 voice.

21 Q Repeated back what you said.

22 A Correct.

23 Q Did that surprise you?

24 A Yes.

25 Q Why?

1 A Just that he was saying it in such a
2 tone.

3 Q Had you ever heard that tone from Vinny
4 before?

5 A No.

6 Q Did you have any clue as to why he was
7 speaking to you like that?

8 A No.

9 Q What happened next?

10 A He packed up his stuff, and as he was
11 packing up he looked at me and called me a fucking
12 racist.

13 Q And then what happened?

14 A I went in the hall and saw the
15 paraprofessional and asked her to escort him to the
16 office.

17 Q And when you say the office, what
18 office did you mean?

19 A Assistant principal.

20 Q And that was Miss Caddick?

21 A And Mr. Kasson.

22 Q Okay. Are they both assistant
23 principals for the senior class?

24 MR. SPAGNOLI: Object to form. Can you
25 specify the time period you're talking about?

1 for the record Mr. Kasson of course is now
2 principal.

3 MS. YOUNG: Right, correct.

4 BY MS. YOUNG:

5 Q So when you instructed Isaac to go to
6 the office, you meant the office that had -- that
7 contains both Mr. Kasson and Miss Caddick's --

8 A Yes.

9 Q -- offices, okay.

10 And the same with Vincent?

11 A Yes.

12 Q How long was it between you speaking to
13 Isaac and sending him to the office and the point
14 where you heard Vinny's music?

15 A 10 to 15 minutes.

16 (Exhibit C was marked.)

17 BY MS. YOUNG:

18 Q I'm handing you a two-page document
19 marked as Exhibit C. I ask you to look at it. The
20 title at the top is assistant principals' office
21 student sign-in sheet.

22 Have you -- on the second page appears
23 to be a student summary or schedule, which I don't
24 know why, I think it -- we probably got this attached
25 together.

1 (Ms. Young conferred with Mr. Cotter.)

2 MR. SPAGNOLI: Finish your answer.

3 A When I am not teaching I am often in
4 the halls, and I have not witnessed students being
5 asked where they're going.

6 BY MS. YOUNG:

7 Q Did you send Isaac to the office with
8 an aide?

9 A No.

10 Q Why not?

11 A I did not see her there at the time.

12 Q If you had not seen an aide in the
13 hallway with Vinny, what would you have done?

14 A I don't know, because she was there.

15 Q Well, you didn't send Isaac with an
16 aide because there was no aide in the hallway,
17 correct?

18 A Correct.

19 Q So if there was no aide in the hallway
20 when you were speaking to Vinny, why wouldn't you have
21 done the same thing you did with Isaac?

22 MR. SPAGNOLI: Objection. Asked and
23 answered.

24 Go ahead and answer it again.

25 A There wasn't one there so I didn't

1 think about what I would do.

2 BY MS. YOUNG:

3 Q Did you think about what you would do
4 with Isaac when there was no aide in the hall?

5 A I would go to the office and check
6 after class to make sure he made it there.

7 Q And did you?

8 A Yes.

9 Q Did you notice what time he signed in
10 when you went and checked?

11 A No.

12 Q You called Mrs. Spero on November 22nd
13 to discuss what happened in class, correct?

14 A Yes.

15 Q Can you tell us about that
16 conversation?

17 A It was a very poor connection.

18 I told her what had happened in class.
19 And she listened. It was fine conversation with a
20 parent, and at the end she mentioned something about
21 me saying the N word. I assured her I would never say
22 that and that did not happen.

23 And that was the end of the
24 conversation.

25 Q And actually you testified at the

1 superintendent's hearing that Miss Spero told you that
2 Vinny claimed you said fucking nigger, correct?

3 A Yes.

4 Q Niggers.

5 What was your reaction when you heard
6 that Vinny had claimed that you said that?

7 A Very taken aback.

8 I would never say that.

9 Q Okay. Did you talk to anyone at the
10 district about the fact that Vinny had told this to
11 his mother and his mother communicated it to you?

12 A Yes.

13 MR. SPAGNOLI: Objection, at what point
14 in time?

15 BY MS. YOUNG:

16 Q Okay, at any point in time did you talk
17 to someone at the district, anyone at the district,
18 about the claim that you had used that racial term?

19 A Yes.

20 Q Okay. When?

21 A I don't recall.

22 Q You don't recall if -- how -- how close
23 in time to actually being told that Vinny was alleging
24 this did you speak to someone?

25 A By the end of the day.

1 November 22 for Miss Caddick, they don't exist
2 as far as I know.

3 MS. YOUNG: Well, I would still ask
4 that the court reporter index that request.

5 BY MS. YOUNG:

6 Q What did Mrs. Caddick say to you in the
7 first meeting you had with her on November 22nd?

8 A To call their parents.

9 Q Did she say anything else?

10 A I don't recall.

11 Q Okay. When you went back to speak to
12 Miss Caddick for the second time that day, subsequent
13 to your phone call with Miss Spero, what did she say?

14 A I don't recall.

15 Q Do you recall about how long you spoke
16 to her?

17 A I don't recall.

18 Q Okay. Did you tell anyone else about
19 what Miss Spero had told you that Vinny was claiming
20 you said?

21 A I told my husband.

22 Q Anyone else at the school district?

23 A No.

24 Q Did you tell anyone from the union?

25 A No.

1 November 22nd with Miss -- with Miss Caddick again on
2 November 28th?

3 A I do not recall.

4 MS. YOUNG: Let me just have this
5 document marked for identification.

6 (Exhibit D was marked.)

7 BY MS. YOUNG:

8 Q I'm showing you what's been marked as
9 Exhibit D, and I'll give you a moment to look at it.

10 A (Reviews document).

11 Can I go back to something for a
12 moment? 'Cause I think that I have my dates wrong.

13 I stopped in and talked to her after
14 school on December 1st. I am not sure at what point I
15 told her about the comment that his mother made on the
16 phone. I'm thinking about stopping in after school
17 now, and the 1st was when the threats happened within
18 the classroom, and that's when I stopped back in to
19 see her. And she told me to write up the thing, and I
20 emailed it to her. I'm not positive of the time when
21 I told her about the -- what his mom said on the
22 phone.

23 BY MS. YOUNG:

24 Q Okay. But it could have been on
25 November 22nd?

1 A I don't know. I don't know. I'm
2 thinking of our after-school -- quick after-school
3 meeting but that was on the 1st.

4 Q Okay. You had a meeting with Miss
5 Caddick on November 28th.

6 A This is what I'm looking at now?

7 Q Well, I'm asking you, before you look
8 at that, do you recall?

9 A I don't recall. I don't have notes of
10 what days we met.

11 Q Okay. I'll ask you to look at
12 Exhibit D.

13 A Can I ask you to clarify what it might
14 say?

15 Q I don't know if I'll be able to answer
16 you, but.

17 A After this line?

18 MR. SPAGNOLI: I'm going to object to
19 counsel effectively testifying as to what the
20 document says.

21 THE WITNESS: Okay.

22 MR. SPAGNOLI: If you can't read it,
23 you can't read it.

24 THE WITNESS: If I can't read it I
25 can't read it, okay.

1 was placed on probation for senior activities
2 subsequent to November 22nd?

3 A Yes.

4 Q Do you recall who told you?

5 A No.

6 Q Do you recall when they told you?

7 A No.

8 Q So on December 1st, 2016, you've
9 alleged that Vinny made some statements in class. Can
10 you tell us what was happening in the classroom at the
11 time that you allege Vinny made certain statements?

12 A I was passing out papers at the front
13 of the row, and he said my street name.

14 Q What words were the exact things he
15 said?

16 A Drexel.

17 Q And were other students speaking?

18 A Yes.

19 Q So it was group work time, is that?

20 A Not at that point; I was passing out
21 the papers.

22 Q Did you ask Vinny what he meant?

23 A No.

24 Q Why?

25 A I was trying to run the class.

1 Q Okay. What else did he say?

2 A The first and middle name of my
3 husband, Maxwell Lawrence.

4 Q There are two students in the class
5 named Maxwell, correct?

6 A I don't think both of them their legal
7 name is Maxwell. There's -- they both went by Max.

8 Q Okay. And do you know what both of
9 their middle names are?

10 A No.

11 Q How soon after the Drexel comment did
12 Vinny say Maxwell Lawrence?

13 A I don't recall.

14 Q And was there another comment?

15 A Towards the end of class two students
16 who were working together, Vincent and another
17 student, were laughing about how funny something would
18 be, and then they said my house number, four two o
19 five.

20 Q And did you ask Vinny about the -- your
21 husband's name comment?

22 A No.

23 Q And did you ask him about the four two
24 o five?

25 A No.

1 Q So is there any other way that a
2 student would know your husband's first and middle
3 name?

4 MR. SPAGNOLI: Objection.

5 A I wouldn't be aware of that.

6 BY MS. YOUNG:

7 Q Do you know if on the deed to your
8 house his full name is written out?

9 A I don't know.

10 Q Vinny wasn't yelling when he allegedly
11 made these comments, was he?

12 A Talking loud enough for me to hear.

13 Q Would you say it was in a normal voice?

14 A Little louder.

15 Q Did you testify at the superintendent's
16 hearing that Vinny said it in a normal voice?

17 A I don't recall.

18 Q Did you ask Vinny about these comments?

19 A Not specifically about the comments,
20 no.

21 Q Why not?

22 A I felt that they should be run by
23 administration first.

24 Q Did you speak to Vinny after class that
25 day?

1 A As students were packing up, yes.

2 Q And what did you say to him?

3 A Is something bothering you.

4 Q And what was his response, if any?

5 A The way the school handles stuff.

6 Q Did you ask him what he meant by that?

7 A No.

8 Q Why?

9 A I'm not in charge of what the school
10 does, so it's not my place.

11 Q Did you offer Vinny any suggestions on
12 how to deal with what he was upset about?

13 A He wasn't asking for any.

14 Q That wasn't my question. I said did
15 you offer any suggestions to Vinny about how to handle
16 what he was upset about?

17 A No.

18 Q At some point did you report what
19 happened on December 1st to anyone in administration?

20 A Yes.

21 Q And who was that?

22 A Deb Caddick.

23 Q And did you discuss it with her that
24 day, December 1st?

25 A Yes.

1 Q Okay. And what did you speak about?

2 A That he had made these comments in
3 class and I was uncomfortable.

4 Q And what did she say?

5 A She told me that she had met with him
6 that morning concerning the write-up from
7 November 22nd.

8 Q What else did she say?

9 A I don't recall.

10 Q Do you recall if you and Miss Caddick
11 talked about whether Vinny needs the Foundations in
12 College Math class?

13 A I don't recall discussing that.

14 Q Did you discuss other students in the
15 class who might have overheard these comments?

16 A She asked me to write up what happened
17 and to include any names of nearby students.

18 Q At this point had you written up a
19 student conduct form?

20 A No.

21 Q Why not?

22 A It wasn't until she told me that she
23 had met with him that morning that I -- I had felt
24 uncomfortable but then it turned into feeling more
25 threatened by his comments in retaliation.

1 Q During the class are the Drexel,
2 Matthew Lawrence, and your street number the sum total
3 of the remarks you considered threatening?

4 A Maxwell Lawrence.

5 Q Oh, sorry, Maxwell.

6 A But yes.

7 Q Did you later have a conversation with
8 Officer Talbut about this issue?

9 A Yes.

10 Q Okay. When was that?

11 A That evening he called me.

12 Q Okay. And did you describe what had
13 happened in class?

14 A Yes.

15 Q And what did he say to you?

16 A I don't recall.

17 Q You don't recall anything of what he
18 said to you in that conversation?

19 A No.

20 (Exhibit F was marked.)

21 BY MS. YOUNG:

22 Q Give Exhibit F to you and ask you to
23 look it over.

24 A (Reviews document).

25 Q Okay. Can you identify both pages of

1 this document?

2 A The front, the first page is an email I
3 sent on the evening of December 1st; and the second
4 page is the written description of what happened in
5 class that day.

6 Q Okay. And it's your testimony that
7 Miss Caddick asked you to write this.

8 A Yes.

9 Q Did she tell you why she wanted you to
10 write this up?

11 A No.

12 Q Did Miss Caddick either on December 1st
13 or subsequent to that tell you that Vinny would not be
14 in your class anymore?

15 A On the morning of December 2nd I
16 received an email that said they were going to look
17 into it and he would not be in my class that day.

18 Q Okay. Subsequent to that did you hear
19 anything from anyone in administration as to whether
20 Vinny would be in your class?

21 A I received an email on the 2nd from
22 guidance asking for work.

23 Q Did it have any other information in
24 it?

25 A The dates that they wanted work for.